

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

Case No.: 21-cr-173 (PJS/DTS)

Plaintiff,

v.

**MOTION FOR CONTINUANCE**

Anton Joseph Lazzaro (1),  
Gisela Castro Median (2),

Defendants.

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For the reasons set forth below, the Defendant, Mr. Anton Lazzaro, respectfully requests a brief continuance of the hearing on the motion pending before the Court [Dkt. Nos. 122, 123, 125-129, 132-133]. The hearing is scheduled to occur on March 24, 2022, at 3:30 p.m. before Magistrate Judge David T. Schultz [Dkt. 150].

A continuance is necessary to allow Mr. Lazzaro's recently retained counsel sufficient time to prepare for the hearing, *viz.*, reviewing all of the relevant pleadings, discovery, case law, subpoenaing any necessary witnesses, preparing for the examination of witnesses and presenting arguments to the Court.

Yet, undersigned counsel for Mr. Lazzaro was just admitted to practice and represent Mr. Lazzaro in this case on March 4, 2022. Undersigned counsel has been working diligently to obtain and review the relevant discovery and pleadings in the case but anticipates it may not be possible to be adequately prepared by March 24, 2022.

Undersigned counsel understands and appreciates the importance of adhering to the current deadlines set in the case, but respectfully submits that granting a short continuance of weeks, not months, to allow undersigned counsel to adequately prepare for the hearing and provide Mr. Lazzaro with effective representation at the hearing substantially outweighs the need to adhere to the current scheduling order or the public's/parties' need for a speedy trial.

With a brief continuance, the government would still be able to be heard on all the issues relatively quickly. Granting such a continuance would not result in any miscarriage of justice, whereas not granting a continuance risks depriving Mr. Lazzaro of his constitutional right to effective legal representation. While the facts of the case are relatively straightforward, there is a significant amount of discovery, certainly more than the run-of-the-mill case. Moreover, the issues presented in the pending motions are not simply routine search and seizure issues, but rather the issues include weighty constitutional arguments as well as some novel issues unique to this prosecution.

Mr. Lazzaro was indicted in August 2021. Mr. Lazzaro was arrested in August 2021 and has remained in custody at the Sherburne County Jail since that time. Mr. Lazzaro is simultaneously filing a motion for exclusion of this time period from the Speedy Trial Act Calculation.

Undersigned counsel has conferred with Assistant United States Attorney Laura Provinzino and, while the government opposes a continuance, Mr. Lazzaro

respectfully submits that, for the reasons stated above and pursuant to 18 U.S.C. § 3161(h)(7), the ends of justice are served by a brief continuance of the hearing on the pending motions.

Respectfully submitted,

Dated: March 10, 2022

/s/ Gary K. Springstead  
Gary K. Springstead  
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